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UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
OAKLAND DIVISION

20 WINERTHAN CHIU, ) NO. C14-1607-JSW  
21 Plaintiff, )  
22 v. ) STIPULATED REQUEST FOR  
23 ) CONDITIONAL DISMISSAL AND  
24 ) [PROPOSED] ORDER  
25 UNITED STATES OF AMERICA, et. al., )  
26 Defendant. )  
27 \_\_\_\_\_ )  
28 \_\_\_\_\_ )

It is hereby Stipulated and Agreed by the parties herein as follows:

1. The parties hereto, through their respective counsel, are advising this Court that they have agreed to a settlement of this action.
2. The terms of the settlement involve consideration that will take between 60 to 90 days to deliver.
3. Accordingly, the parties request that this action be dismissed with prejudice and that all dates be vacated provided, however, that if either party certifies to this Court, with a proof of service of a copy on opposing counsel, within 90 days from the date of the Order of Dismissal, that the agreed

1 consideration for the settlement has not been delivered over, that the Order of Dismissal shall stand  
2 vacated, and the action be restored to the calendar to be set for a case management conference.  
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4 SO STIPULATED

5 MELINDA HAAG  
6 United States Attorney

7 /s/ Cynthia Stier   
8 CYNTHIA STIER  
9 Assistant United States Attorney

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11 NEIL P. CHERUBIN  
12 Attorney for Winerthan Chiu

13 SO ORDERED this 27th day of October, 2014.

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15 JEFFREY S. WHITE  
16 UNITED STATES DISTRICT JUDGE